HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE
and
HON'BLE SHRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO.19024 OF 2006

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Between:
Sri Sai Taraka Mahila Sakthi Society
represented by President G.Laxmi
24th ward, Near Ramalayam,
Settibalijapeta, Ramachandrapuram,
East Godavari District.

..... Petitioner

AND

The Commissioner, Prohibition & Excise,
Nampally, Hyderabad and 3 others.

.....Respondents

::ORDER::

Counsel for the Petitioner : Sri K.L.N.Swamy

Counsel for Respondent Nos 1to3 : The Government Pleader

for Prohibition & Excise.

Dated 18.9.2006

Per Sri G.S.Singhvi, CJ

Sri Sai Taraka Mahila Sakthi Society, Ward No.24, Ramachandrapuram, East Godavari District has filed this petition under Article 226 of the Constitution of India for issue of a writ of mandamus restraining respondents 1 to 3 not to permit respondent No.4 M/s.Sai Wines from shifting the wine shop from Ward No.23 to Ward No.24 of Ramachandrapuram on the ground that the shifting of the wine shop is contrary to Rules 27 and 29 of the Andhra Pradesh Excise (Lease of Right of Selling by Shop and Conditions of License) Rules, 2005.

On 15.9.2006, notice of the petition was issued to respondent Nos.1 to 3 and the learned Government Pleader for Prohibition and Excise was called upon to inform whether permission has been granted to respondent No.4 for shifting the wine shop from Ward No.23 to Ward No.24.

Smt. G.Malleswari, learned Government Pleader for Prohibition and Excise says that application made by respondent No.4 for shifting the wine shop is pending with the Commissioner of Prohibition and Excise and so far no decision has been taken.

In view of the statement made by the learned Government Pleader, the writ petition is disposed of as premature. However, liberty

is given to the petitioner to represent to the Commissioner, Prohibition and Excise that permission should not be granted to respondent No.4 to shift the wine shop from Ward No.23 to Ward No.24 of Ramachandrapuram.

We hope and trust that the representation made by the petitioner would receive due attention of the officer concerned before any decision is taken for shifting of the wine shop from Ward No.23 to Ward No.24.

As a sequel to disposal of the writ petition, WPMP No.23931 of 2006 filed by the petitioner for interim relief is also dismissed.

G.S.SINGHVI, CJ

C.V.NAGARJUNA REDDY,J

18.9.2006
msv